

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

ANTONIO CABALLERO,

Plaintiff,

v.

FUERZAS ARMADAS REVOLUCIONARIAS DE
COLOMBIA, ET AL.,

Defendants.

Civil Case No. 20-MC-00040-LJV

NOTICE BY THE UNITED STATES CONCERNING POTENTIAL PARTICIPATION

On March 4, 2022, the Court entered an order inviting the United States to submit a brief addressing three specific questions posed by the Court, as well as “any other issues raised by this litigation that the United States deems of interest.” Order, ECF No. 106, at 4. The Court has provided the United States until July 7, 2022 to inform it whether it will file a Statement of Interest.¹ Order, ECF No. 118, at 8.

The United States appreciates the Court’s invitation and has carefully considered it. The United States respectfully informs the Court that it anticipates filing a Statement of Interest in this matter. Drafting a Statement of Interest will require extensive consultation with other Departments within the United States Government. Pursuant to Department of Justice directives and regulations, it will also require the formal approval of the Principal Deputy Assistant Attorney

¹ A submission by the United States in this matter would be pursuant to 28 U.S.C. § 517, which authorizes the Attorney General to send any officer of the Department of Justice “to attend to the interests of the United States in any suit pending in a court of the United States, or in a court of a State, or to attend to any other interests of the United States.”

General for the Civil Division. *See* 28 C.F.R. § 0.45(h); Civil Division Directive No. 1-15 §§ (1)(c), (e). To allow time for these processes to occur, the United States respectfully requests that this Court set a briefing schedule that would permit the Statement of Interest to be filed sixty days after the submission of this Notice. *See* Order, ECF No. 118, at 8 (indicating that “[i]f the United States intends to file a Statement of Interest, the Court will set a briefing schedule”).

The United States appreciates the Court’s patience and consideration in this matter.

Dated July 7, 2022

Respectfully submitted,

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Principal Deputy Assistant Attorney General

ANTHONY J. COPPOLINO
Deputy Branch Director

DIANE KELLEHER
Assistant Branch Director

/s/ Joseph E. Borson
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